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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/732,920

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EXAMINER

DONABED, NINOS J

ART UNIT

PAPER NUMBER

2144

MAIL DATE

DELIVERY MODE

08/21/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/732,920	Applicant(s) AOKI ET AL.	
	Examiner NINOS DONABED	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 2-4 and 7-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-4 and 7-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/12/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

This action is in response to applicant's amendment dated 06/11/2008. Claims 2, 7-9 and 15-19 have been amended. Claims 1, 5-6 have been canceled. Claim 20 has been added. Claims 2-4 and 7-20 are pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-4 and 7-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hofrichter, (PCT/US01/45355) in view of Matsukura (United States Patent 6,145,126).

Regarding **Claim 2**,

Hofrichter teaches device management system which connects a network device with a device management terminal that manages said network device so that they can communicate with each other, comprising: **(See abstract, Hofrichter)**

said device management terminal including a module storing section for storing a function provision module that is applied to said network device to provide it with functions, **See page 4 lines 12 – 24, Hofrichter teaches a module storing section.)**

a device information receiving section for receiving device information regarding said network device, **(See page 4 lines 12-24, Hofrichter teaches receiving device information.)**

a module reading section for reading said function provision module determined by said function I determining section from said module storing section, **(See page 3 lines 23-45, Hofrichter teaches the application being downloaded the network device.)**

a module sending section for sending said function provision module read by said module reading section to said network device, and **(See page 9 lines 16-35, Hofrichter teaches a client having a memory unit.)**

said network device including a device information storing section for storing said device information, a device information sending section for sending said device information stored by said device information storing section to said device management terminal, a module receiving section for receiving said function provision module, and a module executing section for executing the function provision module received by said module receiving section. **(See page 9 lines 16-35, Hofrichter teaches a network device having a memory unit, a cpu, and a modem for connecting to the network.)**

Matsukura teaches a function determining section for determining a function provision module that has a function available to said network device based on said device information received by said device information receiving section, **(See figures**

12-15 and columns 14 line 25 – column 16 lines 55, Matsukura teaches a function deterring section for determining a function provision module.)

a function selecting section that allows a user to select one or more of the functions corresponding to the function provision module determined by said function determining section, and wherein said module reading section reads out a function provision module that corresponds to a function selected by the function selecting section from said module storing section, and **(See figures 26-29 and columns 19 line 25 – column 20 lines 55, Matsukura teaches a function selection section that allows a user to select a function.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Hofrichter and Matsukura because both deal with the management of network devices. The advantage of combining Matsukura with Hofrichter is that Matsukura allows computers to be moved to different locations while the system automatically manages changes needed to linking addresses. **(See column 1, Matsukura.)**

Regarding **Claim 3** ,

Hofrichter and Matsukura teaches the device management system according to claim 2, wherein a plurality of said network devices are connected so that they can communicate with the system, and **(See figure 1 and page 5 lines 1-28, Hofrichter.)**

said function provision module is a module that realizes a function that is provided by at least two of said network devices working in combination. **(See page 4 lines 8-11, Hofrichter.)**

Regarding **Claim 4** ,

Hofrichter and Matsukura teach the device management system according to claim 3, wherein

said network device includes a device information acquisition section for obtaining device information for another network device other than itself from that network device among said plurality of network devices, and wherein said device information sending section sends device information stored in said device information storing section and device information obtained by said device information acquisition section to said device management terminal. **(See page 12 line 7 through Page 13 line 11, Hofrichter.)**

Regarding **Claim 7** ,

Hofrichter and Matsukura teach the device management system according to claim 20, wherein said function selecting section generates a GUI screen on which one can select one or more of the functions corresponding to the function provision module determined by said function determining section and presents the GUI screen to the user so that the user can select one or more of the functions. . **(See page 9, lines 3-15, Hofrichter.)**

Regarding **Claim 8** ,

Hofrichter and Matsukura teach the device management system according to claim 20, wherein said device management terminal includes a selection interface generating section for generating a selection interface through which one can select one or more of the functions corresponding to function provision module determined by said function determining section, and wherein said function selecting section presents the selection interface generated by said selection interface generating section to the user so that the user can select one or more of the functions. **(See figures 20-26, column 19 line 20 - column 20 line 45, Matsukuru.)**

Regarding **Claim 9** ,

Hofrichter and Matsukura teach the device management system according to claim 20, wherein said network device includes a selection interface generating section for generating a selection interface through which one can select one or more of the functions corresponding to function provision module determined by said function determining section, and wherein said function selecting section presents the selection interface generated by said selection interface generating section to the user so that the user can select one or more of the functions. **(See page 9, lines 3-30, Hofrichter .)**

Regarding **Claim 10** ,

Hofrichter and Matsukura teach the device management system according to claim 9, wherein said device information includes device type identification information that identifies the type of said network device, and wherein said function determining section determines a function provision module that has a function available to said network device based on a function registration table that stores functions associated with said device type identification information. **(See page 4, lines 4-25, Hofrichter.)**

Matsukuru teaches a registration table. **(See figures 20-22 and column 17 lines 24-65, Matsukura.)**

Regarding **Claim 11** ,

Hofrichter and Matsukura teach the device management system according to claim 10, wherein said device type identification information is a device type ID that uniquely identifies the type of said network device, and said function determining section determines a function provision module that has a function available to said network device based on a function registration table that stores functions associated with said device type IDs. **(See page 4, lines 4-25, Hofrichter.)**

Matsukuru teaches a registration table. **(See figures 20-22 and column 17 lines 24-65, Matsukura.)**

Regarding **Claim 12** ,

Hofrichter and Matsukura teach the device management system according to claim 11, wherein:

said module storing section stores said function provision module as associated with user ID, said device management terminal includes a user ID receiving section for receiving said user ID, a second module reading section for reading a function provision module corresponding to a user ID received by said user ID receiving section from said module storing section, and a second module sending section for sending said function provision module read by said second module reading section to said network device, and said network device including a user ID storing section for storing a user ID, and a user ID sending section for sending the user ID stored in said user ID storing section to said device management terminal. **(See page 4, lines 4-25 and page 9 line 15 – page 10 line10, Hofrichter.)**

Regarding **Claim 13** ,

Hofrichter and Matsukura teach the device management system according to claim 12, wherein: said device management terminal includes a provision limiting section for limiting provision of a function provision module, and wherein said provision limiting section prevents a function provision module that has been once provided to said network device based on said user ID from being provided for a re-access based on the same user ID. **(See page 2 lines 23-29 and page 9 lines 9-11, Hofrichter .)**

Regarding **Claim 14** ,

Hofrichter and Matsukura teach the device management system according to claim 12, wherein said device management terminal includes a provision limiting section

for limiting provision of a function provision module, and wherein said provision limiting section defines the provision range of function provision module for each of said user ID, and prevents provision of a function provision module that has been provided to the network device based on said user ID beyond the provision range defined for the user ID. **(See page 2 lines 23-29 and page 9 lines 9-11, Hofrichter.)**

Regarding **Claim 15**,

Hofrichter teaches a device management terminal connected to a network device so that it can communicate with the network device, **(See abstract, Hofrichter)**

comprising a module storing section for storing function provision module that is applied to said network device to provide it with functions, **(See page 4 lines 12 – 24, Hofrichter teaches a module storing section.)**

a device information receiving section for receiving device information regarding said network device, **(See page 4 lines 12-24, Hofrichter teaches receiving device information.)**

a module reading section for reading the function provision module I determined by said function determining section from said module storing section, **(See page 3 lines 23-45, Hofrichter teaches the application being downloaded the network device.)**

a module sending section for sending said function provision module read by said module reading section to said network device and **(See page 9 lines 16-35, Hofrichter teaches a client having a memory unit.)**

Matsukura teaches a function determining section for determining a function provision module that has a function available to said network device based on said device information received by said device information receiving section, **(See figures 12-15 and columns 14 line 25 – column 16 lines 55, Matsukura teaches a function deterring section for determining a function provision module.)**

a function selecting section that allows a user to select one or more of the functions corresponding to the function provision module determined by the function determining section, and wherein said module reading section reads out a function provision module that corresponds to a function selected by the function selecting section from said module storing section. **(See figures 26-29 and columns 19 line 25 – column 20 lines 55, Matsukura teaches a function selection section that allows a user to select a function.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Hofrichter and Matsukura because both deal with the management of network devices. The advantage of combining Matsukura with Hofrichter is that Matsukura allows computers to be moved to different locations while the system automatically manages changes needed to linking addresses. **(See column 1, Matsukura.)**

Regarding **Claim 16**,

Hofrichter teaches a network device connected to a device management terminal so that they can communicate with each other, comprising a device information storing

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section for storing the device information regarding a network device, a device information sending section for sending the device information stored by said device information storing section to said device management terminal, a module receiving section for receiving a function provision module that is applied to the network device to provide it with a function, and a module executing section for executing the function provision module received by said module receiving section, and **(See page 9 lines 16-35, Hofrichter teaches a network device having a memory unit, a cpu, and a modem for connecting to the network.)**

Matsukura teaches a function selecting section that allows a user to select one or more of the functions corresponding to the function provision module. **(See figures 26-29 and columns 19 line 25 – column 20 lines 55, Matsukura teaches a function selection section that allows a user to select a function.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Hofrichter and Matsukura because both deal with the management of network devices. The advantage of combining Matsukura with Hofrichter is that Matsukura allows computers to be moved to different locations while the system automatically manages changes needed to linking addresses. **(See column 1, Matsukura.)**

Regarding **Claim 17**,

Hofrichter teaches a programmable computer that is connected to a network device so that they can communicate with each other, comprising: **(See abstract, Hofrichter)**

said computer having a memory containing a terminal program for causing said computer to execute processing that is realized as a device information receiving section for receiving device information regarding said network device, **(See page 4 lines 12-24, Hofrichter teaches receiving device information.)**

a module reading section for reading the function provision module determined by said function determining section from said module reading section, **(See page 3 lines 23-45, Hofrichter teaches the application being downloaded the network device.)**

a module sending section for sending said function provision module read by said module reading section to said network device, and **(See page 9 lines 16-35, Hofrichter teaches a client having a memory unit.)**

Matsukura teaches a function determining section for determining a function provision module that has a function available to said network device based on said device information received by said device information receiving section, **(See figures 12-15 and columns 14 line 25 – column 16 lines 55, Matsukura teaches a function deterring section for determining a function provision module.)**

a function selecting section that allows a user to select one or more of the functions corresponding to the function provision module determined by said function determining section, and wherein said module reading section reads out a function

provision module that corresponds to a function selected by said function selecting section. **(See figures 26-29 and columns 19 line 25 – column 20 lines 55, Matsukura teaches a function selection section that allows a user to select a function.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Hofrichter and Matsukura because both deal with the management of network devices. The advantage of combining Matsukura with Hofrichter is that Matsukura allows computers to be moved to different locations while the system automatically manages changes needed to linking addresses. **(See column 1, Matsukura.)**

Regarding **Claim 18**,

Hofrichter teaches a programmable computer that is connected to a network device so that they can communicate with each other, comprising:

said computer having a memory containing a terminal program causing said computer to execute processing that is realized as a device information sending section for sending device information stored by a device information storing section to a device management terminal, **(See page 3 lines 23-45, Hofrichter teaches the application being downloaded the network device.)**

a module receiving section for receiving a function provision I module that is applied to the computer to provide it with a function, a module executing section for executing the function provision module received by said module receiving section, and

(See page 9 lines 16-35, Hofrichter teaches a client having a memory unit, a cpu for execution, and a modem for connecting to the network.)

Matsukura teaches a function selecting section that allows a user to select one or more of the functions corresponding to the function provision module. **(See figures 26-29 and columns 19 line 25 – column 20 lines 55, Matsukura teaches a function selection section that allows a user to select a function.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Hofrichter and Matsukura because both deal with the management of network devices. The advantage of combining Matsukura with Hofrichter is that Matsukura allows computers to be moved to different locations while the system automatically manages changes needed to linking addresses. **(See column 1, Matsukura.)**

Regarding **Claim 19**,

Hofrichter teaches a device management method for connecting a network device so that it can communicate and managing said network device, comprising:

when device information regarding said network device is received, functions available to said network device are determined based on the device information, and based on the determination, **(See page 4 lines 12 – 24, Hofrichter teaches a module storing section.)**

a function provision module that is applied to said network I device to provide it with a function is sent to said network device, and **(See page 4 lines 12 – 24, Hofrichter teaches a module storing section.)**

Matsukura teaches a function selecting section is provided that allows a user to select one or more of the functions corresponding to the function provision module. **(See figures 26-29 and columns 19 line 25 – column 20 lines 55, Matsukura teaches a function selection section that allows a user to select a function.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Hofrichter and Matsukura because both deal with the management of network devices. The advantage of combining Matsukura with Hofrichter is that Matsukura allows computers to be moved to different locations while the system automatically manages changes needed to linking addresses. **(See column 1, Matsukura.)**

Regarding **Claim 20**,

Hofrichter teaches a device management system which connects a network device with a device management terminal that manages said network device so that they can communicate with each other, comprising: **(See abstract, Hofrichter)**

said device management terminal including a module storing section for storing a function provision module that is applied to said network device to provide it with functions, **(See page 4 lines 12 – 24, Hofrichter teaches a module storing section.)**

a device information receiving section for receiving device information regarding said network device, **(See page 4 lines 12-24, Hofrichter teaches receiving device information)**

a module reading section for reading said function provision module determined by said function determining section from said module storing section, and **(See page 3 lines 23-45, Hofrichter teaches the application being downloaded the network device.)**

a module sending section for sending said function provision module read by said module reading section to said network device, and said network device including a device information storing section for storing said device information, **See page 9 lines 16-35, Hofrichter teaches a client having a memory unit.)**

a device information sending section for sending said device information stored by said device information storing section to said device management terminal, a module receiving section for receiving said function provision module, a module executing section for executing the function provision module received by said module receiving section and **(See page 9 lines 16-35, Hofrichter teaches a network device having a memory unit, a cpu, and a modem for connecting to the network.)**

Matsukura teaches a function determining section for determining a function provision module that has a function available to said network device based on said device information received by said device information receiving section, **(See figures 12-15 and columns 14 line 25 – column 16 lines 55, Matsukura teaches a function deterring section for determining a function provision module.)**

a function selecting section that allows a user to select one or more of the functions corresponding to the function provision module determined by said function determining section, and wherein said module reading section reads out a function provision module that corresponds to a function selected by said function selecting section from said module storing section. and **(See figures 26-29 and columns 19 line 25 – column 20 lines 55, Matsukura teaches a function selection section that allows a user to select a function.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Hofrichter and Matsukura because both deal with the management of network devices. The advantage of combining Matsukura with Hofrichter is that Matsukura allows computers to be moved to different locations while the system automatically manages changes needed to linking addresses. **(See column 1, Matsukura.)**

Response to Arguments

Applicant's arguments with respect to claim 2-4, 7-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any response to this Office Action should be **faxed** to (571) 272-8300 or **mailed** to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NINOS DONABED whose telephone number is (571)270-3526. The examiner can normally be reached on Monday-Friday, 7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ninos Donabed/

Examiner, Art Unit 2144

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2144